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C O N F I D E N T I A L SECTION 01 OF 02 BEIRUT 001734

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E.O. 12958: DECL: 11/04/2017

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SUBJECT: LEBANON: ADMIN ISSUES PLAGUE UNIIIC STAFF

Classified By: DCM William Grant for reasons 1.4 (b) and (d).

SUMMARY

1. (C) Senior officials of UNIIIC report that the 40-plus staff of investigators are unhappy with the uncertainty they face regarding employment with the Special Tribunal, which has yet to open, and that this dissatisfaction is affecting productivity and willingness to staying on to work for the Special Tribunal when the UNIIIC's work ends.

2. (C) Another problem affecting the UNIIIC work is delayed payment to language interpreters, who are increasingly finding employment elsewhere, forcing the investigators to cancel long sought-after interviews with witnesses. UNIIIC Commissioner Brammertz has communicated these issues internally with the UN, but no improvements have yet been seen. His special assistant Mathieu Lefevre cautioned against pressure by the USG, but acknowledged the value in a message conveyed by USUN that the U.S. is concerned and places great political import on the effectiveness of the UNIIIC. End summary.

LOSING STAFF DUE TO UNCERTAINTY

3. (C) UNIIIC Commissioner Serge Brammertz (protect) complained at dinner hosted by the Ambassador that UN administrative restrictions are causing him to lose experienced staff who ideally would move from the UNIIIC, when it closes, to the Special Tribunal for Lebanon. Poloff met with Mathieu Lefevre, Special Assistant to Brammertz, on November 5 to get more information about problems plaguing the UNIIIC staff. The 40-plus staff are anxious to know about their future job prospects working on the Special Tribunal after the UNIIIC work wraps up in a few months. They report great uncertainty over whether they will have a job, when their current job will end and their new one will start, compensation and benefits of a possible new job, etc. Lefevre (please protect) noted that four investigators this week said they would be quitting soon because of the uncertainty. Lefevre illustrated the impact of the uncertainty with the following: One investigator is on loan from Interpol, and Interpol will only agree to "loan him out" in increments of 12 months, because of its own staffing constraints. Since there is no date yet established for the next phase of work, the investigator will return to Interpol.

4. (C) Staff retention is a priority for Brammertz because

of the impact on the investigation and trial phase and also on the budget. While the budget is \$35 million for the Special Tribunal, if staff leave, Lefevre estimated that new investigators may require up to six months to get up to speed, slowing its work and increasing costs. Lefevre assumes that the Special Tribunal will need all 40-plus UNIIIC investigators because it will be a bigger operation. Lefevre reported that there is a perception among the investigators that the UN is winding down its investigative work on the Tribunal, without yet having a new entity firmly in place to maintain continuity and to provide job security to the current staff. (Note: The Special Tribunal is expected to start sometime between now and June 15, 2008, and will be an international-Lebanese entity, rather than a strictly UN body. End note.)

STAFF NEEDS INFORMATION

¶5. (C) Lefevre pointed to three pieces of information he believes would placate the investigative staff. First, they want to know when the transition will happen. They are unhappy living in the tight security restrictions in Lebanon, and are looking forward to a move to The Hague or wherever the new headquarters will be. Second, the investigators want to know what type of contract and what benefits they will be offered, because they are concerned by rumors they are hearing; for example, some investigators report they heard there will be no child care benefits. Since they are a highly skilled group, they want competitive contracts. One woman told Lefevre that if the compensation package does not include education benefits for her children, she will not accept a new position.

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DELAYED PAYMENT TO INTERPRETERS

¶6. (C) In addition to issues regarding compensation, another problem is delayed payment -- as long as five months -- to the local language interpreters who work as contractors, not employees. This problem has severely impacted the investigators' work in that many interviews. Some interviews that can take six months to set up have been canceled at the last minute because there is no interpreter available; almost all of the interviews scheduled for October had to be canceled. It is very easy for Arabic interpreters to find jobs at other organizations in Lebanon, and many are finding work at other UN agencies.

THERE IS NO DECISION-MAKER

¶7. (C) According to Lefevre, the main reason there are problems is that there is no formal entity set up at this stage to manage administrative issues or make decisions for the Tribunal. Additionally, the fact that no date has been established for the Tribunal means that the staff cannot make their own professional and personal decisions beyond the UNIIIC mandate's end date of June 15, 2008.

ISSUES HAVE ALREADY BEEN RAISED INTERNALLY

¶8. (C) Brammertz has raised these issues internally but is wary to have the USG raise this issue with the UN Secretariat, because it could be perceived as his going

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around the internal UN processes. Lefevre asked us not to cite Brammertz as the source of information about these problems. He did say that if previous discussions were couched in such a way that it appears the Ambassador inquired of Brammertz how the transition process was going, and then Brammertz mentioned the problems, then this would be

acceptable. Lefevre said that Brammertz has informed four different UN departments: the Undersecretary for Political Affairs, the Department of Field Support, the Office of Legal Affairs, and the Undersecretary General for Security, about these problems. Brammertz has received responses expressing concern, but Lefevre wondered if the quasi-independence of the UNIIIC meant that there was insufficient attention addressing UNIIIC's problems.

POTENTIAL SOLUTION IS TO
COMMUNICATE AND COMMUNICATE OFTEN

9. (C) Lefevre believes that given the political importance attached to the Special Tribunal, these problems must be addressed because it is slowing down and affecting the investigators' work. Something as simple as weekly updates on the transition process for staff could be invaluable, he suggested. The investigators do not need to have actual job offers at this point to be satisfied (although of course that is ideal), but they would be happier if they knew what the parameters were in terms of salary and benefits, so that they could assess whether it was competitive enough to retain them.

10. (C) The investigators also want some sort of reassurance that they will be hired on by the new entity. If they were told today that they will be going to The Hague on June 1, 2008, they will be happy, speculated Lefevre. Lefevre understands that it is impractical to expect actual job offers to be handed out in the near term, but suggested that some sort of "ad hoc mechanism" could be used to address human resource issues. He recommended that the Task Force that is currently interviewing judges could take steps to begin the process of hiring staff in the absence of a formal entity such as the Tribunal. At minimum, he said, send the message to the staff that retention is a priority.

11. (C) Lefevre appreciated the USG interest in the issue, but worries that too much attention by the USG would upset those at the UN. He thinks it would be helpful for the U.S. to express its concern to the UN Secretariat, but not to push it too much.

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